

REMARKS

Claims 1-7 are pending in the present application. The Examiner has required election in the present application between:

Group I, claims 1-5, drawn to a preparation containing hepatocyte growth factor; and

Group II, claims 6-7, drawn to a method of treating or preventing renal disease or occlusive lesion of blood vessel comprising administering an effective amount of hepatocyte growth factor by continuous intravenous administration.

For the purpose of examination of the present application, Applicants elect, with traverse, Group II, claims 6-7.

The Examiner asserts Kawaida et al. (*PNAS USA* 91:4357-4361, 1994) anticipates claims 1-5. Applicants respectfully disagree and reserve the right to refute the Examiner's allegations in future correspondence.

Applicants respectfully submit that the subject matter of Groups I and II are linked as forming a single general inventive concept under PCT Rule 13.1 because they possess the same or corresponding special technical features. The special technical feature of this invention is a preparation containing hepatocyte growth factor for continuous intravenous administration, which is represented by the claims of Group I. The claims of Group II are drawn to methods for using the preparations of Group I. As such, the claims of Groups I-II should be rejoined.

For all of the above reasons, Applicants respectfully request that the Restriction Requirement be withdrawn, and Groups I and II be recombined. An early and favorable action on the merits of the present application is earnestly solicited.

If the Examiner has any questions concerning this application, the Examiner is requested to contact Kristi L. Rupert, Ph.D. (Reg. No. 45,702) at (703) 205-8000.

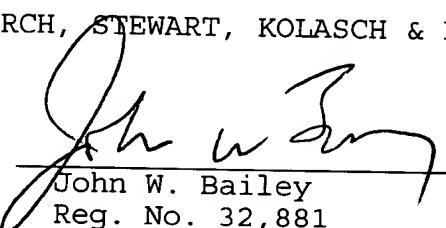
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a five (5) month extension of time for filing a reply in connection with the present application, and the required fee of \$1,970.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



John W. Bailey
Reg. No. 32,881

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JWB/KLR:gmt
JWB